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November 25, 2008

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Commissioner for Patents
PO Box 1450
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Art Unit 2416

Attn: Mail Stop Amendment

Re: U.S. Utility Patent Application
Application No. 09/881,628; Filing or 371(c) Date: June 13, 2001
For: **Method and Apparatus for Optimizing Selection of Available
Contexts for Packet Processing in Multi-Stream Packet Processing**
Inventors: MUSOLL *et al.*
Our Ref: 1778.3180000 (0174.00US)

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Online Credit Card Payment Authorization in the amount of \$180.00 to cover IDS late filing fee;
2. Supplemental Information Disclosure Statement;
3. Form PTO/SB/08A (1 sheet) listing 16 documents (US1-US12 and FP1-FP4);
4. Form PTO/SB/08B (2 sheets) listing 16 documents (NPL1-NPL16); and
5. Copies of cited documents (FP1-FP4 and NPL1-NPL16).

The above-listed documents are filed electronically through EFS-Web.

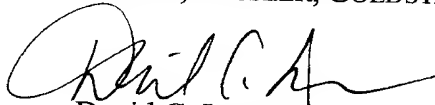
In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents
November 25, 2008
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Fee payment is provided through online credit card payment. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read "David C. Isaacson", written over the printed name.

David C. Isaacson
Attorney for Applicants
Registration No. 38,500

DCI/PPH/jmh
Enclosure(s)

907885-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Enrique MUSOLL

Appl. No.: 09/881,628

Filed: June 13, 2001

For: **Method and Apparatus for Optimizing
Selection of Available Contexts for
Packet Processing in Multi-stream
Packet Processing**

Confirmation No.: 8580

Art Unit: 2416

Examiner: Kevin D. Mew

Atty. Docket: 1778.3180000 (0174.00US)

Supplemental Information Disclosure Statement

Mail Stop Amendment

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying IDS Forms are documents that may be considered material to the patentability of this application as defined in 37 C.F.R. §1.56, and in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.97 and 1.98.

Applicants have listed publication dates on the attached IDS Forms based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicants have checked the appropriate boxes below.

- ☐ 1. Statement under 37 C.F.R. 1.704(d). Each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this information disclosure statement.
- ☐ 2. Filing under 37 C.F.R. § 1.97(b). This Information Disclosure Statement is being filed within three months of the date of filing of a national application other than a continued prosecution application (CPA), OR within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, OR before the mailing date of a first Office Action on the merits OR before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.
- ☒ 3. Filing under 37 C.F.R. § 1.97(c). This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.

- ☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
- ☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ☒ c. The required fee is provided through online credit card payment authorization in the amount of \$180.00 in payment of the fee under 37 C.F.R. § 1.17(p).
- ☐ 4. Filing under 37 C.F.R. § 1.97(d) This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Enclosed find our PTO-2038 Credit Card Payment Form in the amount of \$_____ in payment of the fee under 37 C.F.R. § 1.17(p); in addition:

- ☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
- ☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ☒ 5. Documents FP1-FP4 were cited in a Japanese Office Action (Japanese Patent Appln. No. 2001-558844). In addition to an English language version of the JP Office Action (see NPL10), Applicants have provided English translations of the abstracts in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38, MPEP 609.04(a).
- ☐ 6. A concise explanation of the relevance of the non-English language document(s) appears below in accordance with 37 C.F.R. § 1.98(a)(3).
- ☒ 7. Copies of documents FP1-FP4 and NPL1-NPL16 are submitted. It is noted that document NPL2 is difficult to read. This copy of this reference was obtained

from the U.S. Patent and Trademark Office and can be found in an Information Disclosure Statement filed on November 27, 2005, for Appl. No. 09/826,693 (now abandoned). This is the best copy available to Applicants. Further, in accordance with 37 C.F.R. § 1.98(a)(2), no copies of U.S. patents and patent application publications cited on the attached IDS Forms are submitted.


- ☐ 8. Copies of the documents were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. _____, filed _____, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).
- ☒ 9. It is expected that the examiner will review the prosecution and cited art in the parent application no. 09/737,375, filed December 14, 2000 (now U.S. Patent No. 7,058,064), in accordance with MPEP 2001.06(b), and indicate in the next communication from the office that the art cited in the earlier prosecution history has been reviewed in connection with the present application.

It is respectfully requested that the Examiner initial and return a copy of the enclosed IDS Forms, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



David C. Isaacson
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Date: November 25, 2008

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